

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

County of Los Angeles,

Complainant,

vs.

Union Pacific Railroad Company,

Defendant.

Case 03-08-030
(Filed August 15, 2003)

**ADMINISTRATIVE LAW JUDGE'S RULING SETTING A PREHEARING
CONFERENCE AND DIRECTING A DIAGNOSTIC SAFETY
REVIEW OF SITES BE CONDUCTED**

This ruling sets a telephonic prehearing conference (PHC) in the above matter for January 20, 2004. The ruling also directs the parties to conduct a diagnostic safety review of the sites subject to this complaint and report results prior to the PHC. Staff of the Commission's Consumer Protection and Safety Division (Staff) is invited to participate, if it chooses, in the diagnostic safety review.

In its complaint, the County of Los Angeles (County) alleges that the Union Pacific Railroad Company (UPRR) has not adequately maintained and cleared its property at various sites within the county. In its response to the complaint, filed October 3, 2003, UPRR suggests a diagnostic safety review be conducted at these sites prior to any hearing to review and evaluate all available measures that might reasonably be applied to resolve the issues.

The County, UPRR and Staff (if it wishes to participate) are now directed to conduct a joint diagnostic safety review of the subject sites. A joint report on the results of this diagnostic review shall be prepared and distributed to the service list by January 9, 2004.

The purpose of the PHC will be to discuss:

- 1) the results of the diagnostic safety review;
- 2) whether an evidentiary hearing will be necessary and, if so, a schedule;
- 3) establishing a service list, if necessary; and
- 4) identification of any other procedural issues.

Parties may be connected to the telephonic prehearing conference by calling **(toll free) 877-347-9604**, and using **passcode 771069**.

Parties desiring expedited or daily transcripts should advise the Chief Hearing Reporter by telephone at 415-703-1473, by January 14, 2004.

IT IS RULED that:

1. A telephonic prehearing conference is set for January 20, 2004, at 10AM, for the purposes described above.

2. Parties shall use the toll free number and passcode provided above to participate in the prehearing conference.

3. By January 9, 2004, the County of Los Angeles and the Union Pacific Railroad Company shall conduct a diagnostic safety review of the sites subject to this complaint, and review possible resolution alternatives. Staff of the Commission's Consumer Protection and Safety Division is invited to participate in the diagnostic safety review. Parties involved in the diagnostic review shall

jointly prepare a written report on the results and submit it to the service list in this proceeding by the same date.

Dated November 20, 2003, at San Francisco, California.

/s/ KENNETH L. KOSS

Kenneth L. Koss
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting a Prehearing Conference and Directing a Diagnostic Safety Review of Sites Be Conducted on all parties of record in this proceeding or their attorneys of record.

Dated November 20, 2003, at San Francisco, California.

/s/ ELIZABETH LEWIS

Elizabeth Lewis

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at

C.03-08-030 KLK/hl2

(415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.